

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

In re:

John Michael Cerceo, II

Case No. 16-11381-BFK

Debtor.

Chapter 13

**NOTICE OF OBJECTION TO CONFIRMATION**

DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR INDYMAC  
INDX MORTGAGE LOAN TRUST 2006-AR29, MORTGAGE PASS-THROUGH  
CERTIFICATES SERIES 2006-AR29 has filed papers with the Court to object to the  
confirmation of the Chapter 13 plan filed by the Debtor.

**Your rights may be affected. You should read these papers carefully and discuss  
them with your attorney, if you have one in this bankruptcy case. (If you do not have an  
attorney, you may wish to consult one.)**

A hearing on the Objection is scheduled to be held at United States Bankruptcy Court,  
200 South Washington Street, 3<sup>rd</sup> Floor, Courtroom III, Alexandria, Virginia on July 14, 2016 at  
1:30 PM.

Sara A. John, VSB #48425  
M. Richard Epps, P.C.  
605 Lynnhaven Parkway  
Virginia Beach, Virginia 23452  
757-498-9600

Counsel for DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR  
INDYMAC INDX MORTGAGE LOAN TRUST 2006-AR29, MORTGAGE PASS-THROUGH  
CERTIFICATES SERIES 2006-AR29

Date: May 25, 2016

Signature, name, address and telephone number of person giving notice:

/s/ Sara A. John

Sara A. John, VSB #48425

M. Richard Epps, P.C.

605 Lynnhaven Parkway

Virginia Beach, Virginia 23452

757-498-9600

Counsel for DEUTSCHE BANK NATIONAL  
TRUST COMPANY AS TRUSTEE FOR  
INDYMAC INDX MORTGAGE LOAN TRUST  
2006-AR29, MORTGAGE PASS-THROUGH  
CERTIFICATES SERIES 2006-AR29

Certificate of Service

I hereby certify that on May 25, 2016, I mailed or electronically served a true copy of the foregoing Notice to: Thomas P. Gorman, Trustee, 300 N. Washington St. Ste. 400, Alexandria, VA 22314; and John Michael Cerceo, II, P.O. Box 3364, Sterling, VA 20164.

/s/ Sara A. John

Sara A. John

M. Richard Epps, P.C.

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DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR INDYMAC  
INDX MORTGAGE LOAN TRUST 2006-AR29, MORTGAGE PASS-THROUGH  
CERTIFICATES SERIES 2006-AR29 (“Secured Creditor” herein), by and through its  
undersigned counsel, objects to confirmation of Debtor’s Chapter 13 plan (DE #13), and states as  
follows:

1. Debtor, John Michael Cerceo, II, filed a voluntary petition pursuant to Chapter 13 of the  
Bankruptcy Code on April 19, 2016.
2. Secured Creditor holds a security interest in the Debtor’s real property located at 45854  
Cabin Branch Drive, Sterling, Virginia 20164, by virtue of a Deed of Trust recorded on  
September 1, 2006 as Instrument number 20060901-0075714 in the Clerk’s Office of the Circuit  
Court, Loudoun County, Virginia. Said Deed of Trust secures a Note in the amount of  
\$472,000.00.

3. Debtor filed a Chapter 13 plan on May 3, 2016.

Sara A. John, VSB #48425

M. Richard Epps, P.C.

605 Lynnhaven Parkway

Virginia Beach, Virginia 23452

757-498-9600

Counsel for DEUTSCHE BANK NATIONAL TRUST COMPANY AS TRUSTEE FOR  
INDYMAC INDX MORTGAGE LOAN TRUST 2006-AR29, MORTGAGE PASS-THROUGH  
CERTIFICATES SERIES 2006-AR29

4. Debtor's plan states the total arrearage amount owed as "TBD." It is anticipated that Secured Creditor's claim will show the pre-petition arrearage due to Secured Creditor is \$211,895.60. Therefore, the plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Secured Creditor objects to any plan which proposes to pay it anything less than \$211,895.60 as the pre-petition arrearage over the life of the plan.

**WHEREFORE**, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's plan, and for such other and further relief as the Court may deem just and proper.

DEUTSCHE BANK NATIONAL TRUST  
COMPANY AS TRUSTEE FOR INDYMAC INDX  
MORTGAGE LOAN TRUST 2006-AR29,  
MORTGAGE PASS-THROUGH CERTIFICATES  
SERIES 2006-AR29

/s/ Sara A. John  
Sara A. John  
M. Richard Epps, P.C.

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/s/ Sara A. John  
Sara A. John  
M. Richard Epps, P.C.